

<Month DD, 2006>

Ms. Alexis Strauss, Director
Water Division (W-1)
U.S. Environmental Protection Agency, Region IX
75 Hawthorne St.
San Francisco, CA 94105

Dear Ms. Strauss,

We have established Total Maximum Daily Loads (TMDLs) for Kapaa Stream, Oahu, and are submitting them to the U.S. Environmental Protection Agency (EPA) for approval under Clean Water Act §303(d). Copies of the TMDL technical report ("Total Maximum Daily Loads of Total Suspended Solids, Nitrogen and Phosphorus in Kapaa Stream, Kailua, Hawaii"), a technical appendix, legal notices announcing the TMDL public review period and public information meeting (held in Kailua, Oahu), the public information meeting sign-in sheet and meeting notes, the comment letters received during the public review period, and the coordinated response to comments sent to each commenter are enclosed.

As required by the Code of Federal Regulations (C.F.R.) and Hawaii Administrative Rules (HAR), 40 C.F.R. sec. 122.44(d)(1)(vii)(B) and HAR sec. 11-55-19(a)(4)(C), and intended by Hawaii's Continuing Planning Process for Surface Water Pollution Control (approved by EPA June 14, 1976 and last reviewed by EPA in August 2001), upon approval of a TMDL by EPA, the TMDL Waste Load Allocations (WLAs) are immediately effective to be applied in National Pollutant Discharge Elimination System (NPDES) permits. NPDES permits issued by the DOH shall include limitations needed to implement the WLAs in TMDLs, and the Department of Health (DOH) shall enforce these limits.

The State will assure implementation of the approved TMDL WLAs through the enforcement of NPDES permit conditions (HAR §11-55) and will pursue implementation of load allocations through Hawaii's Implementation Plan for Polluted Runoff Control (DOH) and Hawaii's Coastal Nonpoint Pollution Control Program Management Plan (State of Hawaii Department of Business, Economic Development, and Tourism).

If you have any questions regarding our TMDL process, please call me at (808) 586-4424.

Sincerely,

LAURENCE K. LAU, ESQ.
Deputy Director

Environmental Health Administration

Enclosures